

State of Hawaii
Department of Labor and Industrial Relations
Office of Community Services

Request for Proposal

RFP No. OCS LBR 903-15

Protection and Advocacy for Persons with Disabilities
(PAPD) Program

Note: If this RFP was downloaded from the State Procurement Office RFP Website, applicant must provide contact information to the RFP contact person for this RFP to be notified of any changes. An RFP interest form may be downloaded, completed and e-mailed or mailed to the RFP contact person. The State shall not be responsible for any missing addenda, attachments or other information regarding the RFP if a proposal is submitted from an incomplete RFP.

November 1, 2007



State of Hawaii
Department of Labor and Industrial Relations
Office of Community Services

**Protection and Advocacy for Persons with Disabilities
(PAPD) Program**



RFP NUMBER: OCS LBR 903-15

November 1, 2007



STATE OF HAWAII
DEPARTMENT OF LABOR AND INDUSTRIAL RELATIONS
OFFICE OF COMMUNITY SERVICES

830 PUNCHBOWL STREET, ROOM 420
HONOLULU, HAWAII 96813
www.hawaii.gov/labor
Phone: (808) 586-8675 / Fax: (808) 586-8685
Email: dlir.ocs@hawaii.gov

November 1, 2007

Dear Applicant:

SUBJECT: REQUEST FOR PROPOSAL (RFP) FOR
STATE FISCAL BIENNIUM 2008-2009

The Department of Labor and Industrial Relations, Office of Community Services (OCS), is soliciting proposals from qualified applicants to provide the following human services for State Fiscal Year 2008-2009:

| <u>RFP No.</u> | <u>Service Activity Title</u> |
|----------------|--|
| LBR 903-15 | Protection and Advocacy for Persons with Disabilities (PAPD) Program |

All prospective applicants are hereby notified that this RFP for competitive purchase of services is issued under the provisions of the Hawaii Revised Statutes, Chapter 103F and its administrative rules.

The enclosed materials outline the application requirements of this RFP. Included for your use are the administrative requirements, service specifications, proposal forms, budget instructions, as well as other reference materials. Prior to application submittal, it is imperative that the applicants closely review all information and follow detailed instructions provided.

Hand deliveries will be accepted at OCS until 4:30 p.m., Hawaii Standard Time (H.S.T.), Monday, November 26, 2007. Mail-ins must be postmarked by the United States Postal Service (USPS) no later than November 26, 2007, and received by OCS no later than ten days from the submittal deadline. Proposals postmarked after November 26, 2007, or hand delivered after 4:30 p.m. H.S.T. on November 26, 2007, **shall be considered late and rejected**. There are no exceptions to this requirement. Proposals delivered by facsimile transmission or e-mail will not be accepted. One original and three copies of the proposal are required. Hand deliveries as well as mail-ins will be accepted at the following address: Office of Community Services, 830 Punchbowl Street, Room 420, Honolulu, Hawaii 96813.

OCS will conduct an orientation session on Friday, November 9, 2007, from 10:30 a.m. to 12:00 noon, at 830 Punchbowl Street, Room 420, Honolulu, Hawaii. All prospective applicants are strongly encouraged to attend the session.

Page 2
November 1, 2007

The deadline for submission of written questions is 4:30 p.m. H.S.T. on Friday, November 16, 2007. OCS will address all written questions with a written response by Wednesday, November 21, 2007. Written questions may be submitted to OCS by facsimile or e-mail. However, all applicants who submit written questions bears the full responsibility for assuring the complete, correctly formatted, and timely transmission of their questions.

OCS reserves the right to amend terms, issue addenda, or withdraw this RFP at any time.

OCS plans to notify applicants in writing in mid- to late-December 2007 regarding its decision. Contracts are expected to be in effect from February 1, 2008 to September 30, 2009. Any questions or inquiries regarding this RFP should be directed to the RFP Contact Person, Keith Yabusaki, by mail to 830 Punchbowl Street, Room 420, Honolulu, Hawaii 96813, or e-mail to keith.y.yabusaki@hawaii.gov or by telephone to (808) 586-8680.

Thank you for your interest in applying and for working with us to provide quality services.

Sincerely,

Sam Aiona

Executive Director

AN EQUAL OPPORTUNITY AGENCY

PROPOSAL MAIL-IN AND DELIVERY INFORMATION SHEET

OCS RFP COORDINATOR

Keith Yabusaki, Planning Administrator
For Information or Inquiries:

Phone: (808) 586-8680
Facsimile: (808) 586-8685
E-mail: keith.y.yabusaki@hawaii.gov

**ONE ORIGINAL PLUS THREE COPIES OF THE PROPOSAL
ARE REQUIRED.**

ADDITIONAL COPIES MAY BE REQUESTED.

PROPOSAL DEADLINE

MAIL-INS MUST BE POSTMARKED BY THE UNITED STATES POSTAL SERVICE (USPS) NO LATER THAN MONDAY, NOVEMBER 26, 2007 AND RECEIVED BY OCS NO LATER THAN TEN DAYS FROM THE SUBMITTAL DEADLINE.

HAND DELIVERIES WILL BE ACCEPTED AT OCS UNTIL 4:30 P.M., HAWAII STANDARD TIME (H.S.T.), NOVEMBER 26, 2007.

DROP-OFF SITE AND ALL MAIL-INS

Office of Community Services
Keelikolani Building
830 Punchbowl Street, Room 420
Honolulu, Hawaii 96813

NOTE: ALL MAIL-INS POSTMARKED BY USPS AFTER 12:00 MIDNIGHT, H.S.T., NOVEMBER 26, 2007, WILL NOT BE ACCEPTED AND WILL BE RETURNED.

HAND DELIVERIES OR DELIVERIES BY PRIVATE MAIL SERVICES SUCH AS FEDEX WILL NOT BE ACCEPTED AFTER 4:30 P.M., H.S.T., NOVEMBER 26, 2007.

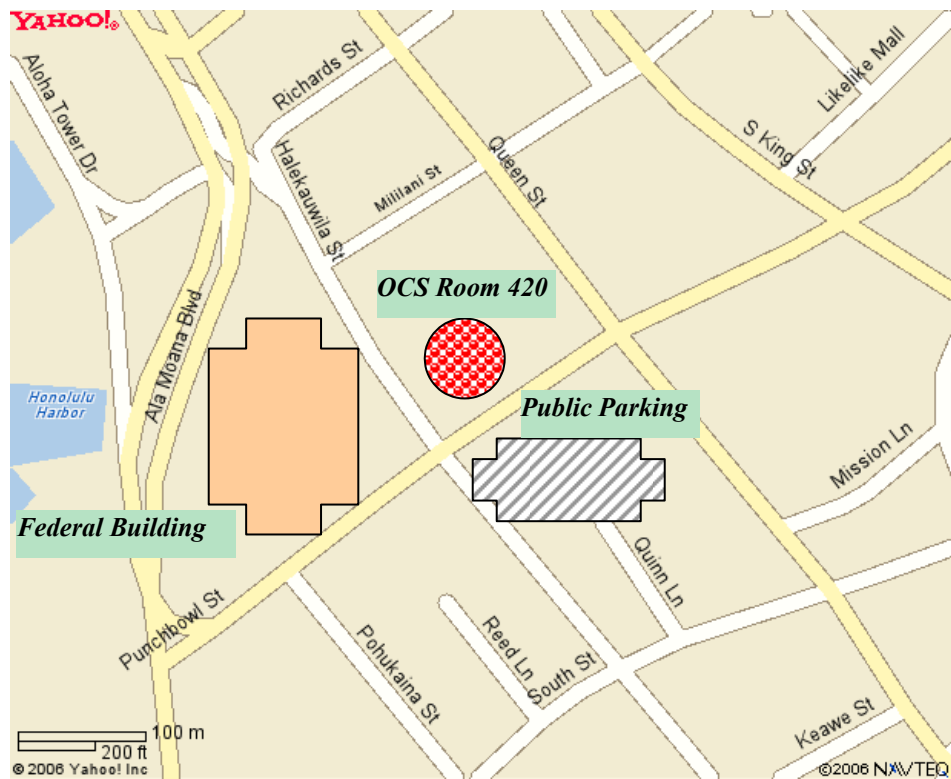
RFP ORIENTATION SESSION

All prospective applicants are invited and encouraged to attend the following scheduled informational session. At this meeting, OCS staff will present the proposal requirements, service specifications and be available to respond to questions.

PLACE: KEELIKOLANI BUILDING, OCS CONFERENCE ROOM
830 PUNCHBOWL STREET, ROOM 420, HONOLULU

DATE: FRIDAY, NOVEMBER 9, 2007

TIME: 10:30 A.M. - 12:00 NOON



If you are unable to attend this session, alternative arrangements may be requested. Should you have any questions, contact Keith Yabusaki at (808) 586-8680.

**DEPARTMENT OF LABOR AND INDUSTRIAL RELATIONS
OFFICE OF COMMUNITY SERVICES**

**PROTECTION AND ADVOCACY FOR PERSONS WITH
DISABILITIES (PAPD) PROGRAM**

REQUEST FOR PROPOSAL NUMBER: OCS LBR 903-15

IMPORTANT DATES*

| | |
|---|--------------------------------------|
| Public Notice Announcing Request for Proposal | November 1, 2007 |
| Distribution of Request for Proposal | November 1, 2007 |
| Orientation Session (Honolulu) | November 9, 2007 |
| Deadline for Submission of Written Questions | November 16, 2007 |
| Response to Written Questions | November 21, 2007 |
| Proposal Submittal Deadline | November 26, 2007 |
| Proposal Evaluation Period | Late November – Mid-December 2007 |
| Provider Selection and Notice of Award | Mid- to Late-December 2007 |
| Contract Terms Finalized | January 7, 2008 |
| Contract Start Date | February 1, 2008 |

*This timetable is provided for planning purposes only. OCS reserves the right to cancel any activity or modify the schedule at any time.

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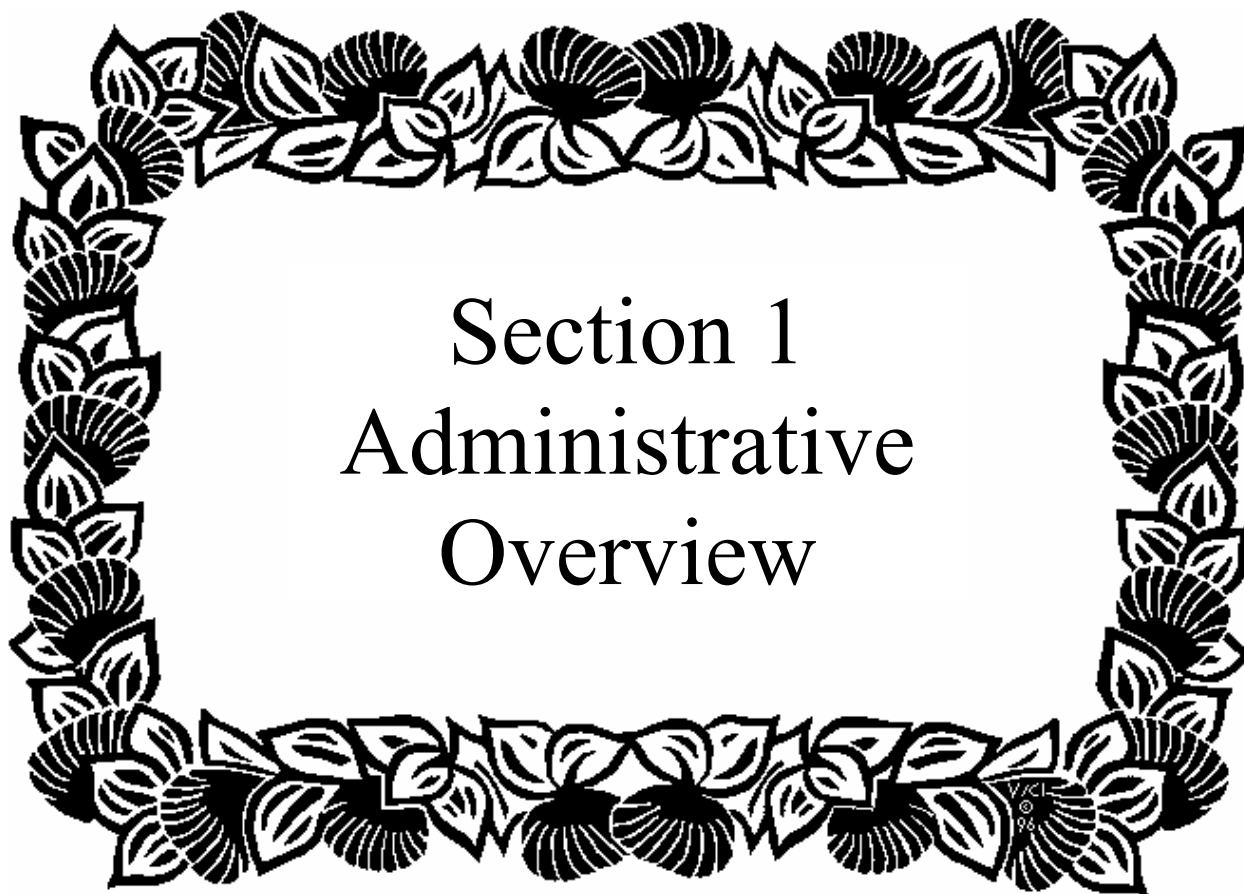
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Section 1
Administrative
Overview

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98

Section 1

Administrative Overview

Each applicant is encouraged to thoroughly read all sections of the RFP. While sections such as the administrative overview may appear similar among RFPs, state purchasing agencies may add additional information as applicable. It is the responsibility of the applicant to understand the requirements of *each* RFP.

I. Procurement Timetable*

Note that the procurement timetable represents the State's best estimated schedule. Contract start dates may be subject to the issuance of a notice to proceed.

| <u>Activity</u> | <u>Scheduled Date</u> |
|--|----------------------------|
| Public notice announcing RFP | November 1, 2007 |
| Distribution of RFP | November 1, 2007 |
| RFP orientation session | November 9, 2007 |
| Deadline for submission of written questions | November 16, 2007 |
| Response to written questions | November 21, 2007 |
| Discussions with applicant prior to proposal submittal deadline (optional) | Nov. 1 – 25, 2007 |
| Proposal submittal deadline | November 26, 2007 |
| Discussions with applicant after proposal submittal deadline (optional) | Nov. 27 – Dec. 14, 2007 |
| Final revised proposals (optional) | Nov. 27 – Dec. 14, 2007 |
| Proposal evaluation period | Late Nov. – Mid-Dec. 2007 |
| Provider selection and notice of award | Mid- to Late December 2007 |
| Contract terms finalized | January 7, 2008 |
| Contract start date | February 1, 2008 |

* This timetable of activities is provided for planning purposes only. OCS reserves the right to cancel any activity or modify the timetable at any time.

II. Website Reference

The State Procurement Office (SPO) website is www.spo.hawaii.gov

| For | Click |
|--|--|
| 1 Procurement of Health and Human Services | "Health and Human Services, Chapter 103F, HRS..." |
| 2 RFP website | "Health and Human Services, Ch. 103F..." and "RFPs" |
| 3 Hawaii Administrative Rules (HAR) for Procurement of Health and Human Services | "Statutes and Rules" and "Procurement of Health and Human Services" |
| 4 Forms | "Health and Human Services, Ch. 103F..." and "For Private Providers" and "Forms" |
| 5 Cost Principles | "Health and Human Services, Ch. 103F..." and "For Private Providers" and "Cost Principles" |
| 6 Standard Contract - General Conditions | "Health and Human Services, Ch. 103F..." "For Private Providers" and "Contract Template – General Conditions" |
| 7 Protest Forms/Procedures | "Health and Human Services, Ch. 103F..." and "For Private Providers" and "Protests" |

Non-SPO websites

(Please note: website addresses may change from time to time. If a link is not active, try the State of Hawaii website at www.hawaii.gov)

| For | Go to |
|--|---|
| 8 Tax Clearance Forms (Department of Taxation Website) | http://www.hawaii.gov/tax/ click "Forms" |
| 9 Wages and Labor Law Compliance, Section 103-055, HRS, (Hawaii State Legislature website) | http://www.capitol.hawaii.gov/ click "Bill Status and Documents" and "Browse the HRS Sections." |
| 10 Business Registration (Department of Commerce and Consumer Affairs) | http://www.hawaii.gov/dcca click "Business Registration" |
| 11 Campaign Spending Commission | www.hawaii.gov/campaign |

III. Authority

This RFP is issued under the provisions of the Hawaii Revised Statutes (HRS), Chapter 103F and its administrative rules. Each applicant is charged with presumptive knowledge of all requirements of the cited authorities. Submission of a valid executed proposal by any applicant shall constitute admission of such knowledge on the part of such applicant.

IV. RFP Organization

This RFP is organized into five sections:

Section 1, Administrative Overview--Provides applicant with an overview of the procurement process.

Section 2, Service Specifications--Provides applicant with a general description of the tasks to be performed, delineates applicant responsibilities, and defines deliverables (as applicable).

Section 3, Proposal Instructions--Describes the required format and content for the proposal.

Section 4, Proposal Evaluation--Describes how proposals will be evaluated by the state purchasing agency.

Section 5, Attachments--Provides applicant with information and forms necessary to complete the application.

V. Contracting Office

The Contracting Office is responsible for overseeing the contract resulting from this RFP, including system operations, fiscal agent operations, monitoring and assessing provider performance. The Contracting Office is:

Office of Community Services
Department of Labor and Industrial Relations, State of Hawaii
830 Punchbowl Street, Room 420
Honolulu, Hawaii 96813
Phone: (808) 586-8675 Fax: (808) 586-8685

VI. Orientation

An orientation session for applicants in reference to the RFP will be held as follows:

Date: November 9, 2007 **Time:** 10:30 a.m. to 12:00 Noon
Location: Keelikolani Building – OCS Conference Room
830 Punchbowl Street, Room 420, Honolulu

Each applicant is encouraged to submit written questions to OCS prior to the orientation session. Impromptu questions will be permitted and spontaneous answers provided at the orientation session at the state purchasing agency's discretion. Verbal answers provided during the orientation session are only intended as general direction and may not represent the state purchasing agency's position. Formal official responses will be provided in writing. To ensure a written response, any oral questions should be submitted in writing following the close of the orientation, but no later than the submittal deadline for written questions indicated in the next paragraph VII. Submission of Questions.

VII. Submission of Questions

The applicant may submit written questions to the RFP Contact Person identified in Section 2 of this RFP. The deadline for submission of written questions is 4:30 p.m., H.S.T., on November 16, 2007. All written questions will receive a written response from the state purchasing agency. State purchasing agency responses to written questions will be sent by Wednesday, November 21, 2007.

VIII. Submission of Proposal

A. Forms/Formats – Forms, with the exception of program specific requirements, may be found on the State Procurement Office website (See page 1-2, Website Reference).

1. Proposal Identification (Form SPO-H-200) – Provides identification of the proposal.

2. Proposal Checklist – Provides applicants with information on where to obtain the required forms; information on program specific requirements; which forms are required and the order in which all components should be assembled and submitted to the state purchasing agency.

3. Table of Contents – A sample table of contents for proposals is located in Section 5, Attachments. This is a sample and meant as a guide. The table of contents may vary depending on the RFP.

4. Proposal (Form SPO-H-200A) – Applicant shall submit comprehensive narratives that address all of the issues contained in the Proposal Instructions, including a cost proposal/budget if required (Refer to Section 3 of this RFP).

5. Tax Clearance – A certified copy of a current valid tax clearance certificate issued by the State of Hawaii, Department of Taxation (DOTAX) and the Internal Revenue Service (IRS) will be required either at the time of proposal submittal or upon notice of award at the discretion of the purchasing agency.

Refer to Section 4, Item III.A.1, Administrative Requirements, and the Proposal Checklist (located in Section 5) to determine if the tax clearance is required at time of proposal submittal. The tax clearance application may be obtained from the Department of Taxation website (See page 1-2, Website Reference).

B. Program Specific Requirements – Additional program specific requirements are included in Sections 2 and/or 3, Service Specifications and the Proposal Instructions, as applicable. If Federal and/or State certifications are required, they are listed on the Proposal Checklist.

C. Multiple or Alternate Proposals – Multiple or alternate proposals shall not be accepted unless specifically provided for in Section 2 of this RFP. In the event alternate proposals are not accepted and an applicant submits alternate proposals, but clearly indicates a primary proposal, it shall be considered for award as though it were the only proposal submitted by the applicant.

D. Wages and Labor Law Compliance – Before a provider enters into a service contract in excess of \$25,000, the provider shall certify that it complies with Section 103-55, HRS, wages, hours, and working conditions of employees of contractor performing services. Section 103-55, HRS may be obtained from the Hawaii State Legislature website (See page 1-2, Website Reference).

E. Compliance with all Applicable State Business and Employment Laws – All providers shall comply with all laws governing entities doing business in the State. Prior to contracting, owners of businesses in the state except sole proprietorships, charitable organizations, unincorporated associations and foreign insurance companies must be registered and in good standing with the Department of Commerce and Consumer Affairs (DCCA), Business Registration Division. Foreign insurance companies must register with DCCA, Insurance Division. More information is on the DCCA website (See page 1-2, Website Reference).

F. Campaign Contributions by State and County Contractors – Contractors are hereby notified of the applicability of Section 11-205.5, HRS, which states that campaign contributions are prohibited from specified State or county government contractors during the term of the contract if the contractors are paid with funds appropriated by a legislative body. For more information, Act 203/2005 FAQs is available at the Campaign Spending Commission website (See page 1-2, Website Reference).

G. Confidential Information – If an applicant believes any portion of a proposal contains information that should be withheld as confidential, the applicant shall request in writing nondisclosure of designated proprietary data to be confidential and provide justification to support confidentiality. Such data shall accompany the proposal, be clearly marked, and shall be readily separable from the proposal to facilitate eventual public inspection of the non-confidential sections of the proposal.

Note: Price and/or the contract award are not confidential and will not be withheld.

H. Proposal Submittal – All mail-ins shall be postmarked by the United States Postal System (USPS) and received by the State purchasing agency no later than the submittal deadline indicated on the attached Proposal Mail-in and Delivery Information Sheet. All hand deliveries shall be received by the State purchasing agency by the date and time designated on the Proposal Mail-In and Delivery Information Sheet. Proposals shall be rejected when:

- i. Postmarked after the designated date; or
- ii. Postmarked by the designated date but not received within 10 days from the submittal deadline; or
- iii. If hand delivered, received after the designated date and time.

The number of copies required is indicated on the Proposal Mail-In and Delivery Information Sheet. Deliveries by private mail services such as FEDEX shall be considered hand deliveries and shall be rejected if received after the submittal deadline. Dated USPS shipping labels are not considered postmarks.

Faxed proposals and/or submission of proposals on diskette/compact disc or transmission by e-mail, website or other electronic means are not permitted.

IX. Discussions with Applicants

1. Prior to Submittal Deadline. Discussions may be conducted with applicants to promote understanding of the purchasing agency's requirements.

2. After Proposal Submittal Deadline - Discussions may be conducted with applicants whose proposals are determined to be reasonably susceptible of being selected for award, but proposals may be accepted without discussions, in accordance section 3-143-403, HAR.

X. Opening of Proposal

Upon receipt of proposal by a state purchasing agency at a designated location, proposals, modifications to proposals, and withdrawals of proposal shall be date-stamped, and when possible, time-stamped. All documents so received shall be held in a secure place by the state purchasing agency and not examined for evaluation purposes until the submittal deadline.

Procurement files shall be open to public inspection after a contract has been awarded and executed by all parties.

XI. Additional Materials and Documentation

Upon request from the state purchasing agency, each applicant shall submit any additional materials and documentation reasonably required by the state purchasing agency in its evaluation of the proposals.

XII. RFP Amendments

The State reserves the right to amend this RFP at any time prior to the closing date for the final revised proposals.

XIII. Final Revised Proposal

If requested, a final revised proposal shall be submitted in the manner, and by the date and time specified by the state purchasing agency. If a final revised proposal is not submitted, the previous submittal shall be construed as the applicant's best and final offer/proposal. *The applicant shall submit **only** the section(s) of the proposal that are amended, along with the Proposal Identification Form (SPO-H-200).* After final revised proposals are received, final evaluations will be conducted for an award.

XIV. Cancellation of Request for Proposal

The request for proposal may be canceled and any or all proposals may be rejected in whole or in part, when it is determined to be in the best interest of the State.

XV. Costs for Proposal Preparation

Any costs incurred by an applicant in preparing or submitting a proposal, is the applicant's sole responsibility.

XVI. Provider Participation in Planning

Provider participation in a state purchasing agency's efforts to plan for or to purchase health and human services prior to the state purchasing agency's release of a request for proposal, including the sharing of information on community needs, best practices, and provider's resources, shall not disqualify providers from submitting a proposal if conducted in accordance with sections 3-142-202, 3-142-203 and 3-143-618 of the Hawaii Administrative Rules for Chapter 103F, HRS.

XVII. Rejection of Proposal

The State reserves the right to consider as acceptable only those proposals submitted in accordance with all requirements set forth in this RFP and which demonstrate an understanding of the problems involved and comply with the service specifications. Any proposal offering any other set of terms and conditions contradictory to those included in this RFP may be rejected without further notice.

A proposal may be automatically rejected for any one or more of the following reasons (relevant sections of the Hawaii Administrative Rules for Chapter 103F, HRS are parenthesized):

- (1) Rejection for failure to cooperate or deal in good faith (Section 3-141-201)
- (2) Rejection for inadequate accounting system (Section 3-141-202)
- (3) Late proposal (Section 3-143-603)
- (4) Inadequate response to request for proposal (Section 3-143-609)
- (5) Proposal not responsive (Section 3-143-610(a)(1))
- (6) Applicant not responsible (Section 3-143-610(a)(2))

XVIII. Notice of Award

A statement of findings and decision shall be provided to all applicants by mail upon completion of the evaluation of competitive purchase of service proposals.

Any agreement arising out of this solicitation is subject to the approval of the Department of the Attorney General as to form, and to all further approvals, including the approval of the Governor, required by statute, regulation, rule, order or other directive.

No work is to be undertaken by the awardee prior to the contract commencement date. The State of Hawaii is not liable for any costs incurred prior to the official starting date.

XIX. Protests

Any applicant may file a protest against the awarding of the contract. The Notice of Protest form, SPO-H-801, is available on the SPO website (see the Proposal Checklist in Section 5 of this RFP). Only the following matters may be protested:

- (1) A state purchasing agency's failure to follow procedures established by Chapter 103F of the Hawaii Revised Statutes.
- (2) A state purchasing agency's failure to follow any rule pursuant to Chapter 103F of the Hawaii Revised Statutes.
- (3) A state purchasing agency's failure to follow any procedure, requirement, or evaluation criterion in a request for proposal issued by the state purchasing agency.

The Notice of Protest shall be postmarked by USPS or hand delivered to 1) the head of the state purchasing agency conducting the protested procurement and 2) the procurement officer who is conducting the procurement (as indicated below) within five working days of the postmark of the Notice of Findings and Decision sent to the protestor. Delivery services other than USPS shall be considered hand deliveries and considered submitted on the date of actual receipt by the state purchasing agency.

| Head of State Purchasing Agency | Procurement Officer |
|--|--|
| Name: <i>Sam Aiona</i> | Name: <i>Keith Yabusaki</i> |
| Title: <i>Executive Director</i> | Title: <i>Planning Administrator</i> |
| Business and Mailing Address: <i>830 Punchbowl Street, Room 420</i> <i>Honolulu, Hawaii 96813</i> | Business and Mailing Address: <i>830 Punchbowl Street, Room 420</i> <i>Honolulu, Hawaii 96813</i> |

XX. Availability of Funds

The award of a contract and any allowed renewal or extension thereof, are subject to allotments to be made by the Director of Budget and Finance, State of Hawaii, pursuant to Chapter 37, Hawaii Revised Statutes, and subject to the availability of State and/or Federal funds.

XXI. Monitoring and Evaluation

The criteria by which the performance of the contract will be monitored and evaluated are:


- (1) Performance/Outcome Measures
- (2) Output Measures
- (3) Quality of Services
- (4) Financial Management
- (5) Administrative/Management Requirements
- (6) Program and Fiscal Data Reporting Requirements

XXII. General and Special Conditions of Contract

The general conditions that will be imposed contractually are on the SPO website (see page 1-2, Website Reference). Special conditions may also be imposed contractually by the state purchasing agency, as deemed necessary.

XXIII. Cost Principles

To promote uniform purchasing practices among state purchasing agencies procuring health and human services under Chapter 103F, HRS, state purchasing agencies will utilize standard cost principles outlined in Form SPO-H-201 which is available on the SPO website (see page 1-2, Website Reference). Nothing in this section shall be construed to create an exemption from any cost principle arising under federal law.

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Section 2 Service Specifications

Section 2

Service Specifications

Program Title: Protection and Advocacy for Persons with Disabilities (PAPD) Program

I. Introduction

A. Overview, Purpose or Need

The U.S. Census Bureau estimated in 2006, that the State of Hawaii had 1,285,498 residents. The number of Hawaii's citizens with a disability, over the age of 5 in 2000, was 199,819.

Prior to FY 2001, the Department of Accounting and General Services (DAGS) was responsible for contracting and administration of the PAPD Program. As allowed, State Grants-In-Aid (GIA) funds were directly awarded to the Hawaii Disability Rights Center (HDRC). In December 2000, DAGS considered administration of this contract by the State Procurement Office (SPO) or the Department of Health (DOH) while maintaining that the designated advocacy agency must be independent of any agency that provides treatment services or rehabilitation to individuals under the Rehabilitation Act. SPO is not an advocacy agency for special interest groups and did not accept the program. DOH divisions possessed valid concerns that it would be in conflict of interest of its distinct roles that could result in litigious actions with HDRC. Thus, OCS, an advocacy agency dedicated to servicing needy and disadvantaged populations, accepted this contract in FY 2002.

Federal laws mandate that states provide advocacy services for developmentally disabled and mentally challenged persons independent of any agency that provides treatment services or rehabilitation in order to receive federal funds. In FY 2007, former PAPD GIA funds were awarded to OCS as part of its Purchase of Services (POS) monies. Pursuant to §103F-403 HRS, OCS posted a notice, requested and determined that HDRC was the sole provider able to render services, and received SPO approval for a restrictive purchase of service. However, in FY 2008, OCS received new input from agencies that HDRC was no longer the sole source provider for protection and advocacy to developmentally disabled, handicapped and mentally challenged persons. In the spirit of transparency and encouraging competition, OCS issues this RFP.

The Department of Labor and Industrial Relations – Office of Community Services seeks to purchase services to protect and advocate for human, civil and legal rights of persons with disabilities. The following is a listing of some Federal statutes that mandate protection and advocacy services for persons with disabilities.

1. **Protection and Advocacy for [Individuals in Need of] Assistive Technology (PAAT)** authorized in the Assistive Technology Act, 29 USC 3011,3012, PL 105-394;

2. **Protection and Advocacy for Beneficiaries of Social Security (PABSS)** authorized in the Ticket to Work and Work Incentives Improvement Act, 42 USC 1320b-20, PL 106-170;

3. **Protection and Advocacy for Individuals with Developmental Disabilities (PADD)** authorized in the Developmental Disabilities Assistance and Bill of Rights Act, 42 USC 15001, PL 106-402;

4. **Protection and Advocacy for Individuals with Mental Illness (PAIMI)** authorized in the Protection and Advocacy for Mentally Challenged Individuals Act, 42 USC 10801, PL 106-310;

5. **Protection and Advocacy for Individual Rights (PAIR)** authorized in the Rehabilitation Act, 29 USC 794e, PL 106-402;

6. **Protection and Advocacy for Individuals with Traumatic Brain Injury (PATBI)** authorized in the Children's Health Act of 2000, 42 USC 300d-53, PL 106-310;

7. **Protection and Advocacy for Voter Access (PAVA)** authorized in the Help America Vote Act of 2002, 42 USC 15461-62, PL 107-252; and

8. **Work Incentives Planning and Assistance (WIPA)** authorized in the Ticket to Work and Work Incentives Improvement Act of 1999, 42 USC §1320b-21, P.L. 106-170 and Social Security Protection Act of 2004, reauthorized funding through FY 2009, PL 108-203.

B. Planning Activities Conducted in Preparation for this RFP

Pursuant to the Hawaii Administrative Rules § 3-142-301 State Agency Planning Activities, OCS conducted planning activities including, but not limited to, the following:

1. Took into account the views of provider organizations on how to improve service specifications to better achieve mandated goals. A request for information was utilized as designated in Section § 3-142-202;

2. Analyzed information from program monitoring and evaluation reports of current provider organizations;

3. Analyzed socio-economic and health data for trends to determine demand factors;

4. Considered the views of service recipients and community advocacy organizations on conditions affecting the achievement of mandated goals; and

5. Requested information from other state agencies on services to the same target population or on cooperative strategies to progress towards achieving a shared goal.

C. Description of the Goals of the Services

The goal is to have a service agency provide a system to protect and advocate for the human, civil, and legal rights of persons with developmental disabilities and mental challenges, as established in the constitutions and laws of the United States and the State of Hawaii. That service agency shall be independent of any agency that provides treatment, service or habilitation to such persons.

D. Description of the Target Population

The target population for these services is persons with disabilities in the State of Hawaii.

Disability refers to a restricted capability to perform or an inability, as in a medically diagnosed condition, that makes it difficult to perform some or all of the tasks of daily life. American Heritage defines disability as "a disadvantage or deficiency, especially a physical or mental impairment that interferes with or prevents normal achievement in a particular area, or something that hinders or incapacitates." This definition of disability parallels most civil rights laws today that protect the rights of people with disabilities, including:

The Rehabilitation Act and Americans with Disabilities Act (ADA) definition is a functional one and does not list specific disabilities. It defines the term *disability* with respect to an individual as "(1) a physical or mental impairment that substantially limits one or more of the major life activities of such individual; (2) a record of such an impairment; or (3) being regarded as having such an impairment."

The Individuals with Disabilities Education Act defines disability (in regards to learning) as "A physical or mental impairment that adversely affects a child's educational performance."

Disability (in regards to work) as contained in the Social Security Act means "inability to engage in any substantial gainful activity..."

Definition of "Disability" contained in the Developmental Disabilities Act: "A developmental disability is a severe, chronic disability of a person five years of age or older which is attributable to a mental or physical impairment or combination of mental or physical impairments; is manifested before the person attains age twenty-two; is likely to continue indefinitely; results in substantial functional limitations in three or more of the following areas of major life activity: 1) self-care, 2) receptive and expressive language, 3) learning, 4) mobility, 5) self-direction, 6) capacity for independent living, and 7) economic self-sufficiency..."

E. Geographic Coverage of Service

Protection and advocacy services for persons with disabilities are to be provided statewide in the counties of Honolulu, Hawaii, Maui, and Kauai. The applicant shall demonstrate capability to provide the required services in the areas and centers for which it applies.

The applicant will serve eligible persons with disabilities for the geographic areas (counties) where the contract is awarded.

The applicant is responsible for identifying clearly the geographic areas that it proposes to serve.

F. Probable Funding Amounts, Source and Period of Availability

Subject to availability of funds, \$275,842 in State General Funds is suggested for the period from February 1, 2008 through September 2009 for the remainder of State fiscal biennium 2008-2009. Funding is anticipated to be from State sources, though the source and amount of funding may be subject to change prior to the effective date and over the life of the contract.

The suggested funding amounts for each year of the biennium are:

| | |
|---|----------------|
| FY 2008 (February – September 2008) | \$110,337 |
| FY 2009 (October 2008 – September 2009) | <u>165,505</u> |
| Total | \$275,842 |

Contract awarded as a result to this solicitation will be awarded for twenty (20) months. FY 2009 of the contract may be subject to renegotiation based upon the availability of funds, the continued need for services, and the State's determination of provider's first year (FY 2008) program performance.

II. General Requirements

A. Specific Qualifications or Requirements, Including but not Limited to, Licensure or Accreditation

1. The applicant shall hold all licenses, permits, and accreditations, and meet all standards required by applicable federal, state and county laws, ordinances, codes and rules to provide services. The applicant shall also be in good standing with required licensing bodies, and in compliance with professional standards and requirements.

2. The applicant shall have the capacity to provide full legal representation for its clients, including litigation, if necessary, during the period of the contract.

3. The applicant shall have a minimum of one-year experience in Hawaii directly providing protection and advocacy services for the benefit of persons with disabilities.

4. The applicant shall have the PAPD program in operation statewide in the geographic areas where the contract is awarded and be able to provide services beginning February 1, 2008 through September 30, 2009.

5. The applicant shall comply with Chapter 103F, HRS Cost Principles for Purchases of Health and Human Services identified in SPO-H-201 (Effective 10/1/98), which can be found on the SPO website (See Section 1, page 1-2, Website Reference).

6. The applicant must provide reasonable accommodations to assure capacity to deliver services to those clients with limited physical limitations.

7. The applicant must assure and be responsible for the continuity of service activities in the event of staff illness, medical emergencies, vacancies, or other situations that

result in program resources that are less than proposed and contracted. The applicant must not require nor depend on the State agency's staff to provide service activities in the event that program resources are not available due to the above situations.

8. The applicant must use credible and tested measurement tools to evaluate program effectiveness in achieving outcomes.

9. The applicant shall develop and implement procedures to document clients' disability eligibility for these services.

10. When a disagreement arises between the applicant and the State in regards to the performance of specific service activities within contracted specifications, the wishes of the State shall prevail. Failure on the part of the applicant to comply shall be deemed cause for corrective action and subject to contractual remedies.

B. Secondary Purchaser Participation
(Refer to § 3-143-608, HAR)

After-the-fact secondary purchases will be allowed. Planned secondary purchases – None.

C. Multiple or Alternate Proposals
(Refer to § 3-143-605, HAR)

☐ Allowed ☒ Unallowed

D. Single or Multiple Contracts to Be Awarded
(Refer to § 3-143-206, HAR)

☒ Single ☐ Multiple ☐ Single and Multiple

A single contract may be awarded to a proposal that demonstrates the ability to provide comprehensive and efficient PAPD services for multiple counties within the state.

E. Single or Multi-Term Contracts to Be Awarded
(Refer to § 3-149-302, HAR)

☒ Single Term (≤ 2 years) ☐ Multi-Term (> 2 years)

Initial term of contract: 20 months
Length of each extension: 0 months
Number of possible extensions: 0
Maximum length of contract: 20 months
Conditions for extension: N/A

The initial period shall commence on the contract start date or Notice to Proceed, whichever is later.

F. RFP Contact Person

The individual listed below is the sole point of contact from the date of release of this RFP until the selection of the successful provider or providers. Written questions should be submitted to the RFP contact person and received on or before the day and time specified in Section I, Paragraph I (Procurement Timetable). Oral questions will be addressed until the deadline for submission of the proposals.

Sole Point of Contact: Keith Yabusaki, Planning Administrator

Phone Number: (808) 586-8680

E-mail: keith.y.yabusaki@hawaii.gov

III. Scope of Work

PAPD regulations allow for a variety of program options. Applicants should propose a design or designs that best address the needs of the proposed service area. Applicants have flexibility in determining the appropriate number of persons with disabilities to be served by the various program advocacy activities (outreach, education and training, information and referral, intake and assessment (client served beyond information and referral), supervised referral, individual casework, and systems casework) and direct representation.

Applicants shall outline a plan of action that describes the scope and detail of how the proposed work will be accomplished; account for all functions or activities identified in the application; cite factors that might accelerate or decelerate the work and state reason for taking the proposed approach rather than others; describe any unusual features of the project such as design or technological innovations, reductions in cost or time, or extraordinary social and community involvement; and provide quantitative annual projections of the accomplishments to be achieved for each function or activity in such terms as the number of people to be served and the number of activities accomplished.

When accomplishments cannot be quantified by activity or function, the Applicant shall list them chronologically to show the schedule of accomplishments and their target dates.

The **SCOPE OF WORK** encompasses, but is not limited to, the following tasks and responsibilities:

1. Assisting children with disabilities with transition plans;
2. Ensuring that children with developmental disabilities and/or serious mental challenges are not unlawfully disciplined, suspended or expelled from school;
3. Assisting persons with disabilities to a) receive vocational rehabilitation and job training, b) obtain independent living services to which they are entitled, c) obtain assistive technology services to which they are entitled, d) return to gainful employment, e) ensure they receive fair representation for those filing complaints of inaccessible public facilities, f) advocate for more accessible and affordable housing, and g) provide technical assistance to those who have complaints about accessibility to polling places and/or about the voting process;

4. Assisting persons with mental challenges to a) prepare Advance Mental Health Care Directives, b) obtain relief from disability discrimination or unemployment insurance appeals via representation, c) represent those who have abuse complaints against their housing providers; d) deal with housing discrimination complaints, and e) appeal denials of applications for services to which they may be entitled; and

5. Assisting persons with developmental disabilities and/or mentally challenged to a) ensure that those in facilities provided 24-hour care are not abused or neglected, b) advocate that they receive care and treatment that is appropriate and in the least restrictive environment, c) review individual service plans and advocate for self-determination regarding decisions

concerning healthcare and treatment, d) represent those persons who want to achieve emancipation from a guardian, and e) represent those persons with complaints about abuse and/or neglect by their housing or service providers.

A. Service Activities (Minimum and/or Mandatory Tasks and Responsibilities)

The applicant shall describe in detail where and how it proposes to provide the following required services. The applicant must describe the design and approach of the proposed program and how it will meet the needs of the target population it plans to serve.

CLIENT SERVICES to accomplish the above scope of work shall include, but is not limited to:

1. **Outreach and Initial Contact** – Identify un-served or under-served persons with disabilities and inform target population of available services. This may involve creating and serving on task forces, advocacy groups or councils concerned with disability issues.

2. **Quick Referral and Information Provision** – Recommend persons with disabilities and/or their caregivers to supplemental resources/partner agencies who can better serve applicant and/or supply pertinent information.

3. **Intake and Assessment (Clients served beyond quick referral/information provision)** – Eligible persons are enrolled. Necessary information is obtained and a case management file created for each person enrolled. A formal assessment of the client has been conducted and the specific needs and supports of the individual have been identified. An individual service plan has been developed for each client.

4. **Training** – These activities are intended to ensure that the clients are equipped with the knowledge and skills to live an independent healthy life free from abuse and neglect, receive an appropriate public education, pursue meaningful employment, make choices and enjoy self-determination, and experience full community inclusion. Also includes activities intended for families, communities, as well as service agencies including legal professionals.

5. **Supervised Referral** – Short-term (Quick Referral and Information Provision < Supervised Referral < Individual Case) assistance to help a person with a disability advocate and resolve own problem.

6. **Individual Case** – Advocate resolution of an issue or problem for individuals with disabilities.

7. **Systems Case** (Legislative/Regulatory or Potential Litigation) – Advocate resolution of an issue or problem that impacts a group of persons with disabilities.

CLIENT RIGHTS ISSUES to deal with the above scope of work and programs shall include, but is not limited to:

1. **Care and Treatment** – Health rights for all patients, including those with disabilities. Right to receive care and treatment in the most appropriate integrated setting; free from abuse and neglect; with due process, informed consent, privacy and confidentiality.

2. **Citizenship** – Right to vote; become naturalized citizen; own and dispose of property, enter accessible facilities; enter into contracts; move to and fro freely; and serve on juries.

3. **Education** – Identification of, early intervention and evaluation of children with disabilities. Freedom from discriminatory arrest, suspension or expulsion from school. Placement in the least restrictive environment or integration into regular classrooms. Right to individualized educational programs and related services. Provision and access to mental health

and related services. School to work transition of children with disabilities. Federal Individuals with Disabilities Education Act (IDEA) mandates a free and appropriate public education. Special education and related services shall meet the unique needs of children with disabilities and prepare them for independent living and employment.

4. **Employment** – No employer shall discriminate against a qualified person with a disability in regards to hiring, advancement, discharge, compensation, job training, and other terms, conditions and privileges of employment as stated by Title I of the Americans with Disabilities Act. Reasonable accommodation from employer to perform essential functions of job. Assistance in applying and obtaining vocational rehabilitation services as provided by the Rehabilitation Act. Assistance with Unemployment Insurance appeals. Assistance for Social Security Disability Benefits (SSDI) and Supplemental Security Income (SSI) recipients who encounter barriers that prevent return to work as provided by the Ticket to Work and Work Incentives Improvement Act of 1999.

5. **Freedom of Association** – Rights to form and maintain relationships; reproduce; and raise children.

6. **Housing** – Freedom from discrimination in obtaining and maintaining housing. Architectural barriers or accommodations in Government funded housing projects must take into account and accommodate persons with disabilities. Applications for Housing and Urban Development Home ownership programs. Discriminatory practices in housing: denial of companion animal; eviction based on disability; holding inaccessible resident meetings; segregating persons with disabilities; denying access to common areas; asking disability-related questions; and additional fees charged to persons with disabilities because of their disabilities, such as additional maintenance fees, additional security deposits and handicapped parking fees.

The Federal Fair Housing Amendments Act of 1988 extended the protections of Title VIII of the Civil Rights Act of 1968 (called the Fair Housing Act) to persons with disabilities.

7. **Justice** – All persons have the right to be presumed to possess capacity, unless determined by a court of law to lack capacity. Hawaii Revised Statutes (HRS) § 560-101(2) defines an “incapacitated person” who may require guardianship *means an individual who, for reasons other than being a minor, is unable to receive and evaluate information or make or communicate decisions to such an extent that the individual lacks the ability to meet essential requirements for physical health, safety, or self-care, even with appropriate and reasonably available technological assistance.* HRS § 560:5-318 permits a person under guardianship who has regained capacity to petition the court for termination of guardianship. Equal protection is the right of all persons under the law. Under Section 1983 of the Civil Rights Act of 1964, it is illegal for anyone acting under the color of law, to deny the civil rights of any citizen, including a citizen that has a disability or is mentally challenged. Right to humane treatment in pre-trial detention facilities. Cruel and unusual punishment is prohibited. Protection of rights in commitment and release proceedings.

8. **Programs and Services** – Support persons with disabilities so that they can live independently; enjoy self-determination; make choices, pursue gainful employment; and experience full inclusion and integration in social, cultural, economic, political and educational mainstream of American society. Priorities include: Assistive Technology (Technology-Related Assistance for Individuals with Disabilities Act of 1988); financial entitlements such as Food Stamps, SSI and SSDI; and Medical entitlements such as Medicaid and Medicare (as provided by the Social Security Act).

If applicant is proposing a new program, applicant shall provide a detailed start-up plan. The plan shall include tasks, activities, personnel, and timeframe. The plan shall clearly show how the applicant would have the program established with necessary staffing to meet the anticipated caseload and provide the required services in the applicable geographic areas by February 1, 2008.

B. Management Requirements (Minimum and/or Mandatory Requirements)

1. Personnel

The applicant shall demonstrate that personnel possess the necessary knowledge, skills and abilities that would enable it to effectively deliver the proposed services.

The applicant shall have standards and procedures to ensure that all employees are fully qualified to engage in activities and perform the services required.

The applicant shall have written position descriptions, requirements and qualifications, policies and procedures to ensure that all employees are fully qualified to engage in activities and perform the services required.

2. Administrative

The applicant shall comply with all applicable Federal and State requirements for the administration of a PAPD program.

Written policies and procedures are required for all services including personnel standards, operating procedures, determination of client eligibility, documentation, record keeping, data gathering, reporting, financial administration, quality assurance, monitoring and evaluation.

The applicant is required to have a written outcome-based program plan, and an on-going planning and evaluation process for these services.

3. Quality Assurance and Evaluation Specifications

The applicant shall have a written quality assurance plan, including procedures to assure that its services are provided in conformance with all federal, state, and county requirements, and the requirements of this RFP. The plan shall include procedures to monitor administrative, program and fiscal operations, for compliance with all requirements. It shall also provide for procedures to determine whether clients receive consistent, high quality services. The quality assurance plan shall identify roles and responsibilities for on-going implementation.

The applicant shall have a written plan for evaluation of performance in providing the required services, including procedures and methodology to measure, monitor and collect data on outputs and outcomes, and to evaluate the outcomes and other results of its services. The evaluation plan should also include procedures to identify and resolve problems, and make improvements to the program as needed. The evaluation plan should identify staff roles and responsibilities for assuring on-going implementation.

The applicant must also indicate the specific measurement tool(s) and/or procedures that will be utilized to document and verify that each proposed program output and outcome is accomplished.

Annual monitoring by the State may include on-site visits with comprehensive evaluation of several areas of performance. These may include review of conformance with standard contractual requirements, agency files, accounting practices, and case record keeping. In addition, on-going monitoring shall include a review of required reports and periodic assessment of program effectiveness.

The applicant must maintain throughout the term of the contract a system of self-appraisal and program evaluation to track and validate effectiveness of the activities provided. The evaluation process must include tools or instruments to identify client, which are relevant to client outcomes and include a process for making improvements or taking corrective action based upon the evaluation findings.

4. Output and Performance/Outcome Measurements

Based on the Scope of Work outlined above, general advocacy outcomes are:

Persons with disabilities exhibit self-determination by making their own choices, select the service agency and services they receive, and demonstrate self confidence and competence.

Persons with disabilities gain access to programs, services, jobs, transportation, housing and public facilities.

Persons with disabilities are free from physical and psychological abuse and neglect.

Persons with disabilities are entitled to live free, independent, productive lives; to work, experience personal growth, and contribute to society; and be accepted as well as recognized for their skills by their own communities.

While indicators of progress and outcome categories are fairly standardized and accepted in the service delivery of social programs, such standardization does not yet readily exist to measure the above outcomes for advocacy and policy work. These indicators of change and outcomes represent essential changes in individual lives, community conditions, institutions, and systems. Outcome categories that measure these essential changes to measure advocacy and policy change include, but are not limited to: 1) shifts in social norms (knowledge, attitudes, values and behaviors), 2) strengthened organizational capacity, 3) strengthened alliances amongst advocacy partners, 4) strengthened base of support (grassroots, leadership and institutional support), 5) improved public policies, and 6) changes in impact (long-term changes in social and physical lives and conditions). In measuring advocacy and policy work, no commonly accepted evaluation approach or practice exists. Therefore, OCS requests outputs/outcomes primarily in regards to the service delivery in helping persons with disabilities resolve their own issues.

The applicant shall set forth, using the attached tables in Section 5, the amount of the following output and performance/outcomes that it expects to achieve. These tables also serve as a general guide to easily depict the types and numbers of program outputs and outcomes OCS finds acceptable. Program outputs and outcomes reported to OCS for each specific activity must be a direct result of OCS' funding for this program.

Please use the two Output and Performance/Outcome Measurements Tables located at the end of this RFP No. LBR 903-15 in Section 5 and include it in the Service Delivery section of your proposal.

Table 1 represents the estimated number of Client Services versus Program Outputs/Outcomes.

Table 2 represents the estimated number of Client Rights Issues versus Client Outputs/Outcomes.

The applicant may also propose other measures of effectiveness.

5. Experience

The applicant shall have a minimum of one-year experience here in Hawaii in providing protection and advocacy services for persons with disabilities.

6. Coordination of Services

The applicant shall describe the agencies that it will coordinate its services with and indicate those which it already has established partnerships.

Provide a list of organizations, cooperating entities, consultants, or other key individuals who will work on the project along with a short description of the nature of their effort or contribution.

7. Reporting Requirements for Program and Fiscal Data

Quarterly program progress and fiscal reports are required within thirty (30) calendar days after the last day of each quarter. The final report on the total contract period is required within sixty (60) calendar days after the last day of the contract period.

The applicant shall describe its ability to provide quarterly and final reports on program performance, particularly on the outputs and outcomes of the services, and on the results of its program evaluations and needs assessments.

The applicant shall describe its ability to provide quarterly and final reports on fiscal performance, particularly comparing its budgeted expenditures to actual expenditures, and identifying and explaining the reasons for variances.

The applicant shall also provide quarterly reports on the number of persons from Compact of Free Association nations that were provided services, identified by the following:

- a. Republic of the Marshall Islands
- b. Federated States of Micronesia
 - i. Chuuk
 - ii. Yap
 - iii. Pohnpei
 - iv. Kosrae
- c. Republic of Belau (Palau)

Other reports as may be required.

8. Pricing Structure or Methodology

Pricing shall be based on cost reimbursement (See Section 3.V., Financial). The applicant shall submit a cost proposal on the appropriate budget forms listed in Section 3.V. that are provided on the SPO website (See Section 1, page 1-2, Website Reference) and other financial requirements as stated in Section 3.V. The cost proposal shall be in accordance with Chapter 103F, HRS, Cost Principles for Purchases of Health and Human Services in form, SPO-H-201 provided on the SPO website.

9. Units of Service and Unit Rate

Not Applicable.

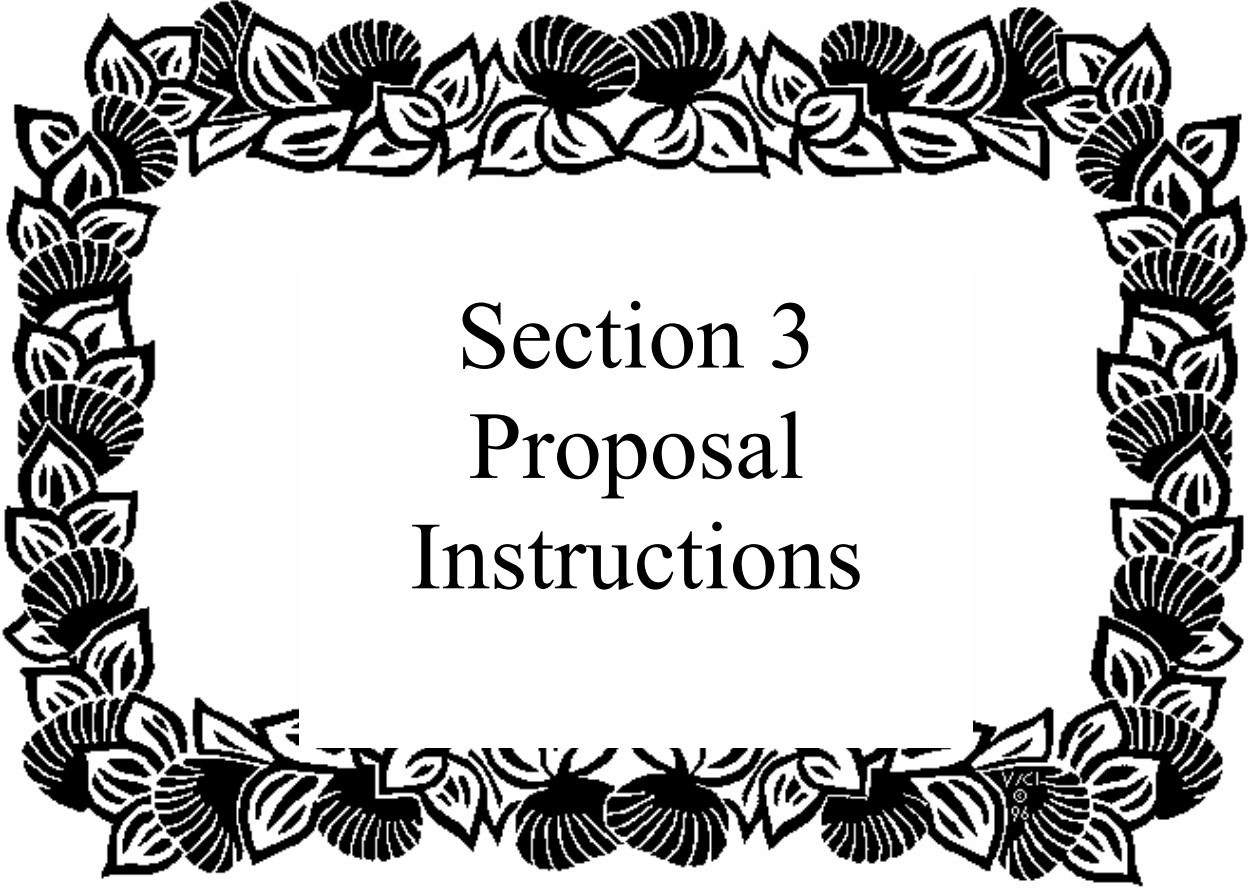
10. Method of Compensation and Payment

The method of payment will be cost reimbursement. The cost reimbursement contract will provide for payment of allowable incurred costs, to the extent prescribed in the contract. Cost reimbursement contracts establish an estimate of total cost for the purpose of obligating funds and establishing a ceiling that the contractor may not exceed without the approval of the procurement officer.

An initial advance payment of up to one eighth percent of the total contract amount will be made upon contract execution and receipt of a written cash request. Subsequent payments shall be made to the applicant in quarterly installments, upon submission of written requests for payment. The State may retain some or all of each payment requested by the applicant. Payment of the retained amount shall be made based upon acceptance of: (1) the written quarterly fiscal and program progress reports, and (2) acceptance of final written fiscal and program progress report. The reports shall be reviewed by the State and shall be subject to the State's preliminary determination of appropriateness and allowability of the reported expenditures. The State's preliminary determination of appropriateness and allowability of the reported expenditures shall be subject to later verification and subsequent audit.

IV. Facilities

The applicant shall provide a description of its facilities and demonstrate its adequacy in relation to the proposed services. If facilities are not presently available, describe plans to secure facilities. Also describe how the facilities meet the Americans with Disabilities Act (ADA) requirements, as applicable, and special equipment that may be required for the services.

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Section 3 Proposal Instructions

Section 3

Proposal Instructions

General instructions for completing proposal:

- *Proposal shall be submitted to state purchasing agency using the prescribed format outlined in this section. The proposal shall be organized and presented in the sections and subsections designated in the RFP and with prescribed content for each section.*
- *The numerical outline for the application, the titles/subtitles, applicant organization and RFP identification information on the top right hand corner of each page should be retained. The instructions for each section may be omitted.*
- *Page numbering of the proposal should be consecutive, beginning with page one (1) and continuing through the complete proposal.*
- *Document binding is optional.*
- *Tabbing of sections is recommended.*
- *Applicant must also include a Table of Contents with the proposal. A sample format is reflected in Section 5, Attachment B.*
- *Applicant is encouraged to use single spacing, 12 point Times New Roman font with 1" margins on all sides.*
- *A written response is required for each item. Failure to answer any of the items will impact upon an applicant's score.*
- *Other supporting documents may be submitted in an Appendix, including visual aids to further explain specific points in the proposal; if used, they should be referenced.*
- *Applicant may submit either one-sided or two-sided proposal.*
- *Proposal should not exceed 50 pages of main text, not including appendices, attachments, identification form (and/or title page), required forms, and table of contents. Appendices, attachments, identification form (and/or title page), required forms, and table of contents should not exceed 100 pages.*
- *Form SPO-H-200A is available on the SPO website (see Section 1, page 1-2, Website Reference). However, the form will not include items specific to the RFP. If using the website form, the applicant must include all items listed in this section.*
- *One (1) original and three (3) copies of each proposal are required.*
- *Applicant is strongly encouraged to review evaluation criteria in Section 4, Proposal Evaluation, when completing the proposal.*

The proposal comprises of the following sections:

- *Proposal Identification Form*
- *Table of Contents*
- *Program Overview*
- *Experience and Capability*
- *Project Staffing and Organization*
- *Service Delivery*
- *Financial*
- *Other*
- *Appendix (optional)*

I. Program Overview

The applicant shall clearly and concisely summarize and highlight the contents of the proposal to orient and provide evaluators with a broad understanding as to the program/services being offered.

II. Experience and Capability

A. Necessary Skills

The applicant shall demonstrate that it has the necessary skills, abilities, and knowledge that would enable it to effectively deliver the proposed services.

Identify the key skills, abilities and knowledge necessary to effectively deliver the requested services. Identify the specific staff in your organization who possess these skills, abilities and knowledge.

B. Experience

The applicant shall provide a short description of projects/contracts pertinent to the proposed services.

The applicant shall provide a brief description and listing of past pertinent contract experience that includes all of the following information: the contracting agency, address, current telephone number and/or e-mail address, contract period, funding amount, contact person, and performance outcomes. The State reserves the right to contact references to verify experience.

C. Quality Assurance and Evaluation

The applicant shall describe its plans for quality assurance and evaluation for the proposed services, including methodology. Explain how applicant intends to determine whether or not the program was a success. Describe what evidence or documentation will be used to verify program accomplishments.

The applicant shall also demonstrate that it has a written evaluation plan that effectively measures, monitors and evaluates program performance and detects and addresses problems in a timely manner. (Refer to the quality assurance and evaluation requirements in Section 2, Service Specifications.)

D. Coordination of Services

The applicant shall demonstrate the capability to coordinate services with other agencies and resources in the community. The applicant will describe proposed partnerships or cooperative agreements with other public or private agencies that will assist the applicant in providing a high quality PAPD program. Such partnerships should include a plan on how to link and coordinate the proposed PAPD program with other protection, advocacy and direct service partners.

If letters of support are submitted, include only letters that establish genuine support and actually make a commitment of time, money, personnel, space, or resources to the program. Include letters that are absolutely necessary to support your proposal or that will enhance it.

E. Facilities

The applicant shall provide a description of its facilities (i.e., location(s) layout, available technology and resources, etc.) and demonstrate its adequacy in relation to the proposed services. If facilities are not presently available, describe plans to secure them. Also describe how the facilities meet the Americans with Disabilities Act (ADA) requirements, as applicable and special equipment that may be required for the services.

III. Project Staffing and Organization

A. Staffing

(1) Proposed Staffing

The applicant shall describe and demonstrate that (1) the proposed staffing pattern, client/staff ratio and caseload capacity are appropriate for the viability of the services (refer to the personnel requirements in Section 2, Service Specifications, as applicable); and (2) that applicant's assignment of staff would be sufficient to effectively administer, manage, supervise, and provide the required services.

Any proposed use of a subcontractor shall be fully explained, justified, and demonstrated to be as effective as in-house staff for the provision of the required services. The applicant shall demonstrate that a proposed subcontractor is fully qualified for the specific work that would be subcontracted, by including description of the proposed subcontractor's experience, capability, project organization, staffing, and proposed services as set forth for applicants in this RFP.

The applicant shall also explain how it would assure quality and effectiveness of the subcontractor, monitor and evaluate the subcontractor, and assure compliance with all requirements of the RFP.

Any proposed use of volunteers shall be fully explained, justified, and demonstrated to be as effective as in-house staff for the provision of the required services. The applicant shall demonstrate that proposed volunteers are or would be fully qualified for the specific work assigned, could be relied on, and would be available when and where needed to provide the required services. The applicant shall also explain how it would provide sufficient management, supervision, oversight, and evaluation of volunteers, and otherwise assure their work quality and effectiveness. The applicant shall explain how it will assure that volunteers perform in compliance with the requirements of the RFP.

(2) Staff Qualifications

The applicant shall provide the minimum qualifications (including experience) for staff assigned to the program. (Refer to the qualifications in Section 2, Service Specifications, as applicable.)

The applicant shall provide job descriptions of proposed administrative and program staff that include the minimum qualifications necessary for the positions. If available, the applicant shall provide resumes of persons proposed for this RFP. The applicant shall also explain how the minimum qualifications and/or actual qualifications would assure that qualified persons would administer and provide the required services.

B. Project Organization

(1) Supervision and Training

The applicant shall describe and demonstrate its ability to supervise, train and provide administrative direction to its staff relative to the delivery of the proposed services.

The applicant shall explain how the program organization and assignment of personnel are sufficient for the effective administration, management, supervision, and provision of services to meet the projected caseload.

The applicant shall describe the training that would be provided for staff to strengthen their capability to effectively provide the program services.

(2) Organization Chart

The applicant shall reflect the position of each staff and line of responsibility/supervision. (Include position title, name and full-time equivalency.) Both the “Organization-wide” and “Program” organization charts shall be attached to the proposal.

The applicant shall provide an “Organization-wide” chart that shows the program placement of the required services within the overall agency, and a “Program” organization chart that shows the lines of communication between program administration and staff. Written explanations of both organization charts shall be included.

Demonstrate that the applicant’s proposed organization would be sufficient to effectively administer, manage and provide the required services.

IV. Service Delivery

The applicant shall clearly identify and describe the geographic area(s) and the targeted population groups that it proposes to serve. The applicant shall demonstrate, with demographic data and other documentation, that the geographic area(s) it proposes to serve contains significant numbers of the target population of this RFP; there is a determined need for the services; the services available to the area are insufficient to fill the need; and the extent of services proposed for each area will effectively address the needs.

The applicant shall provide a complete and comprehensive picture of its total program design. The applicant shall explain how it would provide all of the services required in Section 2, Item III – Scope of Work, addressing all service locations, major tasks, activities, time lines and other pertinent information. Time lines should include goals and objectives with start and completion dates, major milestones or special events, important deadlines, scheduled reports and evaluations, as well as special requirements by the funding source.

If applicant is proposing a new program, applicant shall provide a detailed start-up plan. The plan shall include tasks, activities, personnel, and timeframe. The plan shall clearly show how the applicant would have the program established with necessary staffing to meet the anticipated caseload and provide the required services in all applicable geographic area(s) by February 1, 2008.

The applicant shall describe and justify its overall approach and methodology in addressing the need identified in this RFP, including a logical step-by-step progression of proposed program services from start to finish and how it would effectively serve clients with multiple barriers to obtain successful outcomes.

The applicant shall state the amounts of the required outputs that it proposes to provide, outcomes that it expects to achieve or that will result from its services, and why these amounts of outputs and outcomes are feasible and demonstrate the effectiveness of services.

Projected outputs and outcomes shall be submitted on the performance output and outcome measurement tables provided at the end of Section 5, Attachments. Where the applicant proposes different or additional outputs and outcomes than those provided by OCS, a justification should be provided.

V. Financial

A. Pricing Structure

The applicant shall submit a cost proposal utilizing the pricing structure designated by the state purchasing agency. The estimated cost proposal shall be attached to the proposal.

(1) Pricing Structure Based on Cost Reimbursement

The cost reimbursement pricing structure reflects a purchase arrangement in which the State pays the contractor for budgeted costs that are actually incurred in delivering the services specified in the contract, up to a stated maximum obligation.

(2) Budget Forms

As applicable, provide a line-item budget using forms below. Detailed calculations must include estimation methods, quantities, unit costs, and other similar quantitative detail sufficient for the calculation to be duplicated.

All forms, instructions and samples are located on the SPO website (see Section 1, page 1-2, Website Reference). The following budget form(s) shall be submitted with the proposal:

- SPO-H-205 Proposal Budget for FY 2008-2009
FY 2008 (Period from 2/1/08 thru 9/30/08 with a budget of \$110,337)
FY 2009 (Period from 10/1/08 thru 9/30/09 with a budget of \$165,505)
- SPO-H-206A Budget Justification – Personnel: Salaries and Wages
- SPO-H-206B Budget Justification – Personnel: Payroll Taxes, Assessment and Fringe Benefits
- SPO-H-206C Budget Justification – Travel: Inter-Island
- SPO-H-206D Budget Justification – Travel: Out-of-State
- SPO-H-206E Budget Justification – Contractual Services: Administrative
- SPO-H-206F Budget Justification – Contractual Services: Subcontracts
- SPO-H-206H Budget Justification – Program Activities
- SPO-H-206I Budget Justification – Equipment Purchases

The applicant shall also utilize form SPO-H-201, Chapter 103F, HRS, Cost Principles in Purchases of Health and Human Services, in preparing its cost proposal.

In completing the required budget forms, the applicant should consider the evaluation criteria contained in Section 4, whereby the comprehensiveness of the information presented and the justification of all cost items are particularly important factors. If more space is needed to fully explain and justify the proposed cost items, the applicant should attach additional sheets as necessary.

(3) Budget Justification

The budget justification should be in a narrative form. It evaluates the appropriateness and reasonableness of project costs in relation to anticipated program activities and planned outcomes.

Personnel

Description: Costs of employee salaries and wages.

Justification: Identify key project staff if known at the time of application. For each staff person, provide: title, time commitment to the project as a percentage or full-time equivalent, and annual salary.

Fringe

Description: Costs of employee fringe benefits unless treated as part of an approved indirect cost rate.

Justification: Provide a breakdown of the amounts and percentages that comprise fringe benefits, payroll taxes and assessment costs such as health insurance, FICA, retirement, unemployment insurance, social security, etc.

Travel

Description: Costs of project-related travel by applicant employees.

Justification: For each trip show: the total number of traveler(s); travel destination; duration of trip; per diem; mileage allowances, if privately owned vehicles will be used; and other transportation costs as well as subsistence allowances.

Equipment

Description: "Equipment" means an article including items of personal property, as distinguished from real property, having a useful life of more than one year and an acquisition cost of \$250 or more.

Justification: For each type of equipment requested provide: A description of the equipment, the cost per unit, the number of units, the total cost, and a plan for use on the project.

Supplies

Description: Costs of all tangible personal property other than that included under the Equipment category.

Justification: Specify general categories of supplies and their costs. Show computations and provide other information that supports the amount requested.

Contractual

Description: Costs of all contracts for services and goods except for those that belong under other categories such as equipment, supplies, etc. Include third-party evaluation contracts, if applicable, and contracts with secondary recipient organizations, including delegate agencies and specific project(s) and/or businesses to be financed by the applicant.

Justification: Demonstrate that all procurement transactions will be conducted in a manner to provide, to the maximum extent practical, open and free competition.

Note: Whenever the applicant intends to delegate part of the project to another agency, the applicant must provide a detailed budget and narrative for each delegate agency, by agency title, along with the required supporting information.

Other

Enter the total of all other costs. Such costs, where applicable and appropriate, may include but are not limited to: insurance; professional services costs; space and equipment rentals; printing and publication; computer use; training costs, such as tuition and stipends; staff development costs; and administrative costs.

Justification: Provide computations, a narrative description and a justification for each cost under this category.

Indirect Charges

Description: Total amount of indirect costs. This category should be used only when the applicant currently has an indirect cost rate approved by the Department of Health and Human Services (DHHS) or another cognizant Federal agency. In general, OCS does not allow indirect cost rates. Indirect costs will be approved only on a case-by-case basis and at OCS' discretion.

Justification: An applicant that will charge indirect costs to the grant must enclose a copy of the current rate agreement. If the applicant is requesting a rate that is less than what is allowed under the program, the authorized representative of the applicant organization must submit a signed acknowledgement that the applicant is accepting a lower rate than allowed.

B. Other Financial Related Materials

(1) Accounting System

The applicant shall provide, as part of its cost proposal, its most recent independent financial audit, with the accompanying management letter, to demonstrate the adequacy of its accounting system. The requirements for an adequate accounting system may include, but are not limited to, keeping accurate procurement and financial records required by law, the state purchasing agency, or the State Procurement Office; providing required cost data in acceptable form and in a timely manner; and compliance with generally accepted accounting principles.

(2) Need for Funding

If the services proposed by applicant are to be part of a larger project supported by other funding sources, the applicant shall identify the other funding amounts and sources, provide the planned or anticipated total project budget on form SPO-H-205 in columns (b), (c), and (d), and explain its need for these funds. Form SPO-H-205 can be found on the SPO website.

(3) Cost Effectiveness

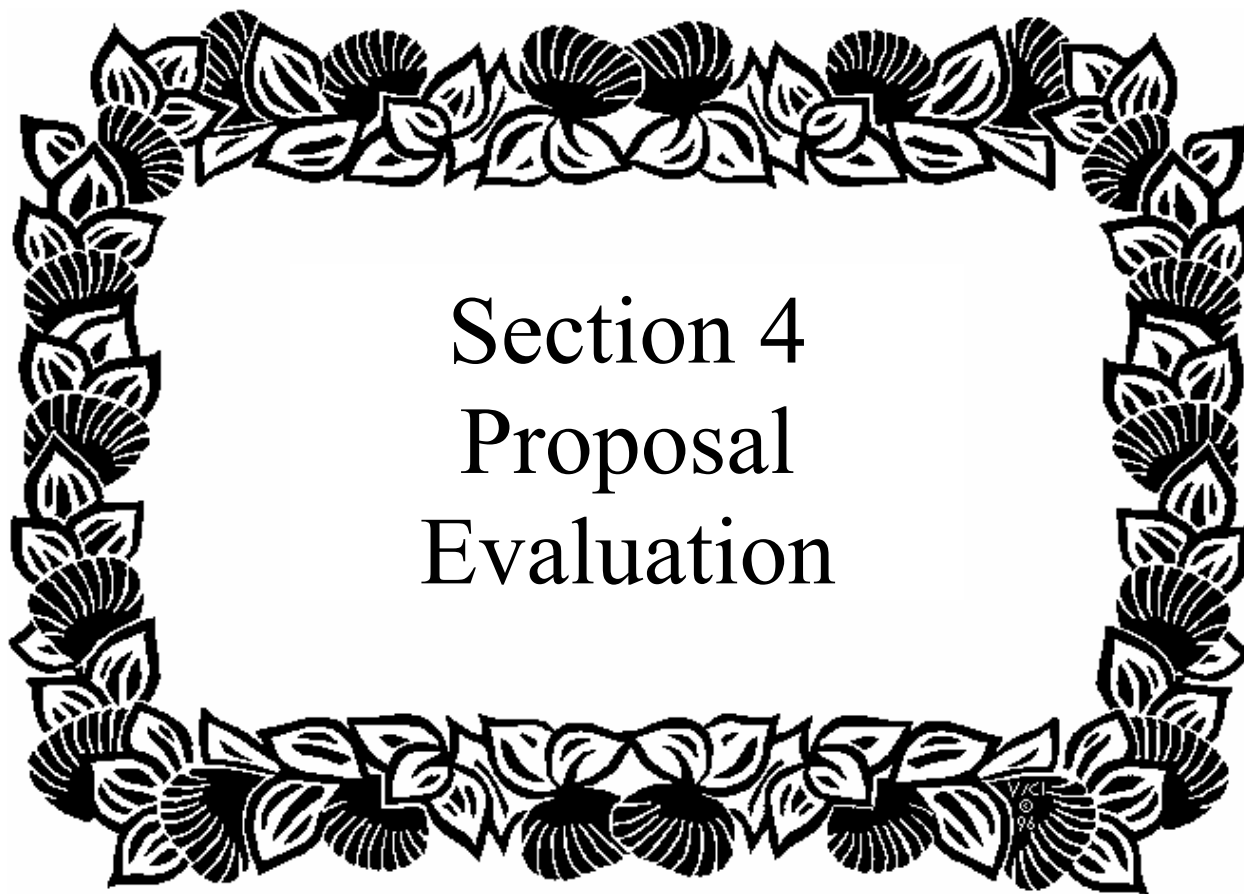
The applicant shall explain why it considers its proposed services to be cost effective for the area and target population group that it would serve.

VI. Other

A. Litigation

The applicant shall disclose any pending litigation to which they are a party, including the disclosure of any outstanding judgment. If applicable, please explain.

VII. Appendix (Optional)



Section 4
Proposal
Evaluation

Section 4 Proposal Evaluation

I. Introduction

The evaluation of proposals received in response to the RFP will be conducted comprehensively, fairly, and impartially. Structural, quantitative scoring techniques will be utilized to maximize the objectivity of the evaluation.

II. Evaluation Process

The procurement officer, or an evaluation committee of designated reviewers selected by the head of the purchasing agency or procurement officer, shall review and evaluate proposals. When an evaluation committee is utilized, the head of the purchasing agency or the procurement officer shall select for this RFP a minimum of two employees from a State agency or agencies with sufficient education and training to evaluate the proposals received. Non-state employees may serve as advisors in the evaluation of proposals but shall not represent or act on behalf of a purchasing agency in any selection or award.

Unless stated otherwise, the evaluation of proposal shall be based solely upon the criteria and their relative priorities as established in this RFP. A written evaluation shall be made for each proposal based on a numerical rating system.

The evaluation will be conducted in three phases as follows:

- Phase 1 - Evaluation of Proposal Requirements
- Phase 2 - Evaluation of Proposal
- Phase 3 - Recommendation for Award

Evaluation Categories and Thresholds

| <u>Evaluation Categories</u> | | | | <u>Possible Points</u> |
|-------------------------------------|--|-----------|--|-------------------------------|
| Administrative Requirements | | | | |
| <i>Proposal</i> | | | | 100 Points |
| Program Overview | | 0 points | | |
| Experience and Capability | | 22 points | | |
| Project Staffing and Organization | | 15 points | | |
| Service Delivery | | 48 points | | |
| Financial | | 15 Points | | |
| TOTAL POSSIBLE POINTS | | | | 100 Points |

III. Evaluation Criteria

A. Phase 1 - Evaluation of Proposal Requirements

(1) Administrative Requirements

Proposal Checklist

(2) Proposal Requirements

- Proposal Identification Form (Form SPO-H-200)
- Table of Contents
- Program Overview
- Experience and Capability
- Project Staffing and Organization
- Service Delivery
- Financial (all required forms and documents)
- Program Specific Requirements (as applicable)

B. Phase 2 - Evaluation of Proposal (100 Points)

(1) Program Overview (0 Points)

Not applicable.

Note: No points are assigned to Program Overview. The intent is to give the applicant an opportunity to orient evaluators as to the service(s) being offered.

(2) Experience and Capability (22 Points)

OCS will evaluate the experience and capability to provide the services under this RFP as follows:

a. Necessary Skills

Identify the key skills, abilities and knowledge necessary to effectively deliver the requested services. Identify the specific staff in your organization that possess these skills, abilities and knowledge. (5 points)

b. Experience

Provide the following information for past and current programs and contracts relevant to the proposed services. (6 points)

- Contracting Agency
- Contact Person
- Contact Information (address, telephone number, e-mail address)
- Contract/Program Title
- Contract Period
- Funding Amount
- Performance Outcomes

c. Quality Assurance and Evaluation

Sufficiency of quality assurance and evaluation plans for the proposed services, including methodology. Demonstrates that applicant has (1) a written quality assurance plan sufficient to assure consistent and high quality of administration and services, and (2) a written evaluation plan to effectively measure, monitor, and evaluate program performance, and timely detect and resolve problems. (5 points)

d. Coordination of Services

Demonstrates applicant's capability to coordinate proposed services with relevant agencies and resources in the community. Provides examples of how relationship/agreements with other agencies, community groups, employers, etc., assist in achieving program goals and objectives. (3 points)

e. Facilities

Demonstrates that applicant would provide adequate facilities (i.e., locations, layout, description, available technology and resources, etc.) for the services proposed and in compliance with Americans with Disabilities Act and other applicable laws and regulations. (3 points)

(3) Project Staffing and Organization (15 Points)

OCS will evaluate the project staffing and organization as follows:

a. Staffing (8 points)

- Proposed Staffing: That the staffing pattern, client/staff ratio, and caseload capacity is reasonable to ensure viability of services. Demonstrates that applicant's assignment of staff would be sufficient to effectively administer, manage, supervise, and provide the required services.
- Staff Qualifications: Minimum qualifications (including experience) for staff assigned to the program. Extent to which the applicant demonstrates the proposed program director and key staff are qualified and knowledgeable about PAPD Program.

b. Project Organization (7 points)

- Supervision and Training: Demonstrates ability that applicant would supervise, train and provide administrative direction to staff relative to the delivery of the proposed services. Extent to which applicant proposes a clear plan for reviewing the qualifications and effectiveness of existing qualified staff. (4 points)
- Organization Chart: Approach and rationale for the structure, functions, and staffing of the proposed organization for the overall service activity and tasks. Demonstrate that applicant's proposed organization would be sufficient to effectively administer, manage, and provide the required services. (3 points)

(4) Service Delivery (48 Points)

OCS will evaluate the service delivery as follows:

- Demonstrates via data that (a) the geographic area that applicant proposes to serve contains significant numbers of the target population, (b) the targeted population group in this area has a need for the required services, and (c) services already provided to this area are insufficient to meet this need. (9 points)
- Demonstrates that applicant's program design is comprehensive and complete, by clearly explaining in sufficient detail all of the client services, client rights issues, scope of work and information required including descriptions of the program tasks, activities, time lines, and an explanation of how each proposed geographic area would be served. (13 points)
- Demonstrates that applicant's proposed approach and methodology are sound by showing (a) a step-by-step progression of clients through services to desired outcomes, and (b) how applicant would effectively serve clients with multiple barriers to obtain successful outcomes through these services. (12 points)
- Demonstrates that applicant proposes feasible and effective amounts of program outputs and outcomes. Demonstrates applicant's ability to propose the proper instruments, measuring tools, and documentation that it will use to verify each of the program outputs and outcomes. Explains in sufficient detail how outputs/outcomes will be tracked and documented in the client's files and/or agency records. Describes applicant's ability to provide complete, accurate, and timely reports on program performance. (14 points)

(5) Financial (15 Points)

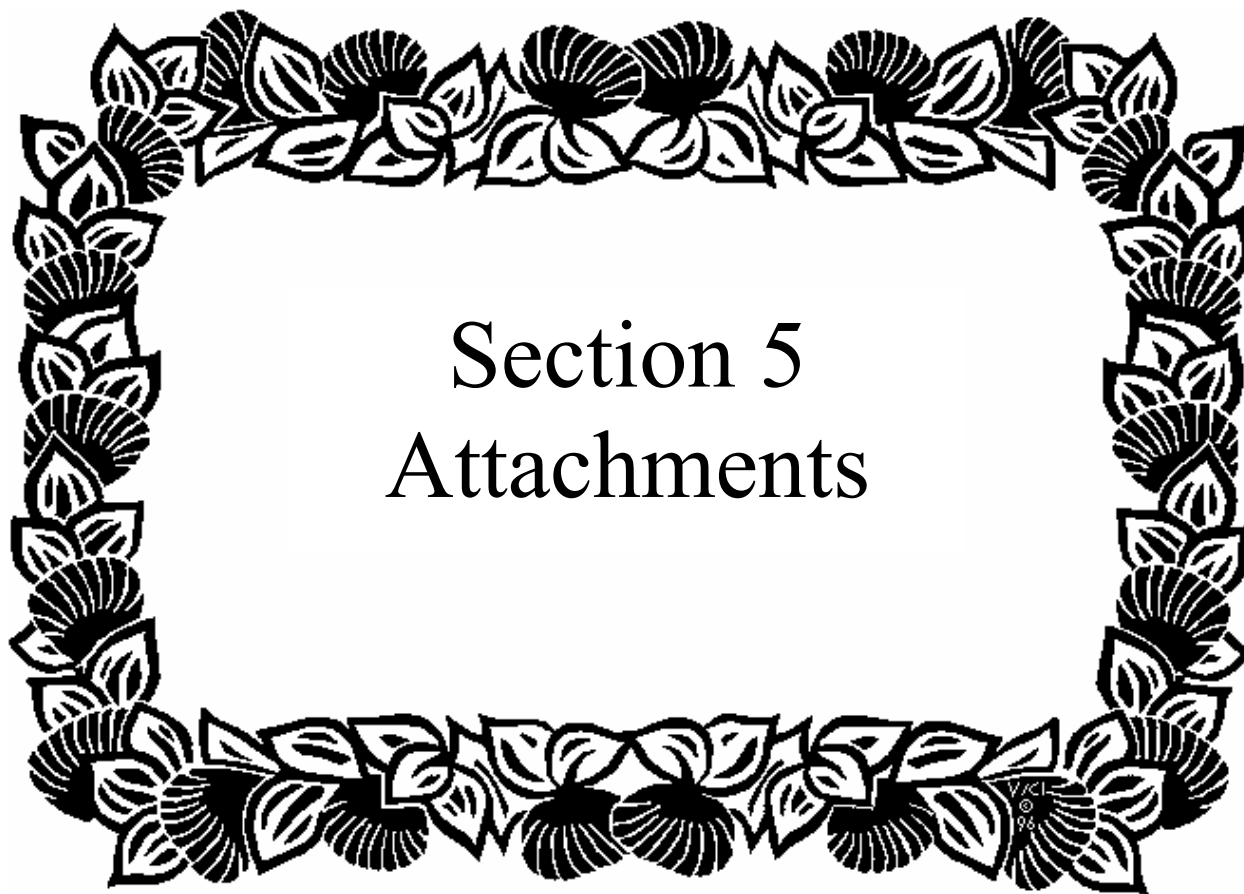
OCS will evaluate applicant's financial proposal as follows:

- Demonstrates the applicant's proposed costs (personnel and non-personnel) are reasonable and necessary by providing adequate information and justification for all cost items, including an explanation of applicant's method of allocation of indirect costs. Demonstrates that applicant has a need for the amount requested for the proposed services. (10 points)
- Demonstrates the adequacy of applicant's accounting system and procedures to assure proper and sound fiscal administration of funding. Where the applicant combines this funding resource with alternative funding sources, clearly describe systems to track, manage, and account for multiple funding streams and allocate costs to different funding sources. (5 points)

IV. Phase 3 – Recommendation for Award

Each notice of award shall contain a statement of findings and decision for the award or non-award of the contract.

OCS reserves the right not to select and award the lowest price proposal. In fact, OCS may decide at its discretion not to select and award any of the submitted applications.



Section 5

Attachments

Section 5

Attachments

- A. Proposal Checklist
- B. Sample Table of Contents
- C. Output and Performance/Outcome Measurements Tables

Table 1. Estimated Number of Client Services versus Program
Outputs/Outcomes

Table 2. Estimated Number of Client Rights Issues versus
Client Outputs/Outcomes

Proposal Checklist

Applicant: _____ RFP No.: _____

The applicant's proposal must contain the following components in the order shown below. This checklist must be signed, dated and returned to the purchasing agency as part of the proposal. SPO-H forms are on the SPO website. See Section 1, paragraph II Website Reference.*

| Item | Reference in RFP | Format/Instructions Provided | Required by Purchasing Agency | Completed by Applicant |
|--|------------------|---|-------------------------------|------------------------|
| General: | | | | |
| Proposal Identification Form (SPO-H-200) | Section 1, RFP | SPO Website* | X | |
| Proposal Checklist | Section 1, RFP | Attachment A | X | |
| Table of Contents | Section 5, RFP | Section 5, RFP | X | |
| Proposal (SPO-H-200A) | Section 3, RFP | SPO Website* | X | |
| Tax Clearance Certificate (Form A-6) | Section 1, RFP | Dept. of Taxation Website (Link on SPO website)* | | |
| Cost Proposal (Budget) | | | | |
| SPO-H-205 | Section 3, RFP | SPO Website* | X | |
| SPO-H-205A | Section 3, RFP | SPO Website* Special Instructions are in Section 5 | | |
| SPO-H-205B | Section 3, RFP, | SPO Website* Special Instructions are in Section 5 | | |
| SPO-H-206A | Section 3, RFP | SPO Website* | X | |
| SPO-H-206B | Section 3, RFP | SPO Website* | X | |
| SPO-H-206C | Section 3, RFP | SPO Website* | X | |
| SPO-H-206D | Section 3, RFP | SPO Website* | X | |
| SPO-H-206E | Section 3, RFP | SPO Website* | X | |
| SPO-H-206F | Section 3, RFP | SPO Website* | X | |
| SPO-H-206G | Section 3, RFP | SPO Website* | | |
| SPO-H-206H | Section 3, RFP | SPO Website* | X | |
| SPO-H-206I | Section 3, RFP | SPO Website* | X | |
| SPO-H-206J | Section 3, RFP | SPO Website* | | |
| Certifications: | | | | |
| <i>Federal Certifications</i> | | Section 5, RFP | | |
| Debarment & Suspension | | Section 5, RFP | | |
| Drug Free Workplace | | Section 5, RFP | | |
| Lobbying | | Section 5, RFP | | |
| Program Fraud Civil Remedies Act | | Section 5, RFP | | |
| Environmental Tobacco Smoke | | Section 5, RFP | | |
| Program Specific Requirements: | | | | |
| Audit with management Letter | Section 3, RFP | | X | |
| Organization Charts | Section 3, RFP | | X | |
| Output and Performance/Outcome Measurements Tables | Section 5, RFP | Section 5, RFP | X | |

Authorized Signature

Date

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OUTPUT AND PERFORMANCE/OUTCOME MEASUREMENTS TABLES

TABLE 1. ESTIMATED NUMBER OF CLIENT SERVICES VS PROGRAM
OUTPUTS/OUTCOMES

| OUTPUTS AND OUTCOMES | | | BY | PROGRAM | | | | | |
|--|------|-------|------|---------|------|-------|------|------|--------|
| CLIENT SERVICES | PAAT | PABSS | PADD | PAIMI | PAIR | PATBI | PAVA | WIPA | TOTALS |
| Outreach & Initial Contact | | | | | | | | | |
| Quick Referral & Information Provision | | | | | | | | | |
| Intake and Assessment | | | | | | | | | |
| Client Served Beyond Quick Referral | | | | | | | | | |
| Training | | | | | | | | | |
| Supervised Referral | | | | | | | | | |
| Individual Case | | | | | | | | | |
| Systems Case (Legislative/Regulatory) | | | | | | | | | |
| Systems Case (Potential Litigation) | | | | | | | | | |

| KEY | PROGRAMS |
|-------|---|
| PAAT | Protection and Advocacy for Assistive Technology |
| PABSS | Protection and Advocacy for Beneficiaries of Social Security |
| PADD | Protection and Advocacy for Individuals with Developmental Disabilities |
| PAIMI | Protection and Advocacy for Individuals with Mental Challenges |
| PAIR | Protection and Advocacy for Individual Rights |
| PATBI | Protection and Advocacy for Individuals with Traumatic Brain Injury |
| PAVA | Protection and Advocacy for Voter Access |
| WIPA | Work Incentives Planning and Assistance |

TABLE 2. ESTIMATED NUMBER OF CLIENT RIGHTS ISSUES VS CLIENT
OUTPUTS/OUTCOMES

| CLIENT RIGHTS ISSUES | BY CLIENT | OUTPUT / | OUTCOMES |
|------------------------|----------------------------|--------------|-----------------|
| | NO. SERVED BEYOND REFERRAL | NO. REFERRED | NO. TURNED AWAY |
| Care and Treatment | | | |
| Citizenship | | | |
| Education | | | |
| Employment | | | |
| Freedom of Association | | | |
| Housing | | | |
| Justice | | | |
| Programs and Services | | | |
| TOTALS | | | |